

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2015

CORAM :

THE HONOURABLE MR. JUSTICE T. RAJA

W.P.NO. 5241 OF 2007  
(O.A. No. 5383 of 2002)

A. Dharmalingam

.. Petitioner

Vs.

1. The Secretary to Government  
Backward Classes and Most Backward  
Classes Welfare (BCC) Department  
Secretariat, Chennai -9.
2. The Secretary to Government  
Commercial Taxes Department  
Secretariat, Chennai-9.
3. The Special Commissioner and  
Commissioner of Commercial Taxes  
Chepauk, Chennai -5.

.. Respondents

PRAYER: This Writ Petition came to be numbered under Article 226 of the Constitution of India by way of transfer of O.A. No.5383 of 2002 from the file of Tamil Nadu Administrative Tribunal with a prayer to call for the records on the file of the Special Commissioner and Commissioner of Commercial Taxes, Chepauk, Chennai-5 the 3<sup>rd</sup> respondent herein in his Proc. Lr. No.P3/22350/2001 dated 17.10.2001 and quash the same and consequently to direct the 3<sup>rd</sup> respondent to draw a panel of Assistants fit for appointment to the post of ACTOs by recruitment by transfer by following the rule of reservation for the year 2001 and thereby direct to appoint as ACTOs subject to the results of the O.A. Nos. 1219/2000, 3440/2000 and 3502/2000 etc. and pass further orders.

For petitioner : No Appearance  
For respondents : Mrs. M.E. Rani Selvam, AGP for R1  
Mr. S. Kanmani Annamalai,  
AGP (Taxes) for R2 and 3

O R D E R

The petitioner filed Original Application No.5383 of 2002 before the Tamil Nadu Administrative Tribunal seeking for reservation in recruitment by transfer, which was subsequently transferred to this Court as W.P. No. 5241 of 2007.

2. When the matter was taken up for hearing on 01.07.2014, no one appeared on behalf of the petitioner. Again, when the matter was taken up on 06.01.2015, no one appeared. Once again, the matter was directed to be listed today and for the third time also, no one represented on behalf of the petitioner.

3. In view of the above, the Writ Petition is dismissed for non-prosecution. No order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

avr

To

1. The Secretary to Government  
Backward Classes and Most Backward  
Classes Welfare (BCC) Department  
Secretariat, Chennai -9.
2. The Secretary to Government  
Commercial Taxes Department  
Secretariat, Chennai-9.
3. The Special Commissioner and  
Commissioner of Commercial Taxes  
Chepauk, Chennai -5.

1 cc to Mr. K.S.Govindaraj, Advocate, SR.No.1428

1 cc to Government Pleader, Sr.No1227

1 cc to Spl. Government Pleader, Sr.No1017

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ksj (co)

pmk.2.2.2015